**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**
**FARAD CONTINUATION SHEET.**
**APPEAL FROM ORDER NO.326 OF 2004**

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| Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders. | Court's or Judge's orders |
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**CORAM: A.S.OKA,J.**
**DATE : FEBRUARY 22, 2005.**

**P.C.:**

1. The order impugned in this Appeal has been passed on Chamber Summons praying for following relief:

"a. That the claim of the Plaintiff No.1 against Defendants be deleted along with consignation deletion."

2. The Appeal from Order is obviously not maintainable either under Section 104 or under Order XLIII Rule 1 of the Code of Civil Procedure, 1908 against the impugned order. Hence, Appeal is dismissed as not maintainable.

3. Notwithstanding the dismissal of the Appeal it will be open for the Appellants to adopt appropriate proceedings for challenging the impugned order.

4. Parties to act upon an authenticated copy of this order.

**JUDGE.**